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THE Hindu Message

A Weekly Review of Indian and World-Problems from the Hindu Standpoint.

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A Weekly Review of Indian and World-Problems from the Hindu Standpoint.

Editor: T. K. Balasubrahmanya Aiyar B.A.

VOL. 4.] THURSDAY JUNE 19, 1919. [No. 9.

The **Hindu Message** stands for

(1) The Maintenance of British supremacy with self-government for India,

(2) Co-operation with the different communities of India without prejudice to Hindu Dharma,

(3) Education of the Hindus as an integral part of the Indian Nation,

(4) Advancement of Material prosperity on a spiritual basis and

(5) Dissemination of pure Hindu Culture.

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A Vision Of India.

THE BILWA TREE.

By K. S. Ramaswami Sastri, B.A., B.L.

And at thy base aglow with heavenly light
The Goddess ocean-born was born again
The golden goddess of all earthly gain
And heavenly bliss with endless raptures bright
She dwells in thy green leaves so fair to sight
As gladly as she shone upon the main
Beneath the sweet and sacred sparkling rain
Of flowers let fall in showers from heaven's height.
And in high Venkata's most holy hill
God Vishnu doth accept beyond all flowers
Thy leaves as sweet Devotion's offerings.
Such is thy guerdon by His gracious will.
Let me have sight of thee in morning hours
And sunsets fit for God-Love's blossomings.

The Hindu Message

THURSDAY EVENING 19, JUNE 1919.

India and Economic Reconstruction—I.

We are afraid sufficient attention is not being paid by our active politicians to the great economic menace with which we are threatened by the new economic policy of the Empire and vigorous attempts that will be made presently for the exploitation of our material resources for the benefit of the British capitalist and profiteering classes. This had long been coming, though we did not take sufficient note of it here; and the late war has brought this thing to the very forefront of imperial problems.

When the war was on, we heard of Imperial Reconstruction on all sides; and took it with characteristic innocence or ignorance that this reconstruction would lift India from her present position of a dependent to that of an equal partner in the Empire. But, after the meeting of the Imperial Conference in 1917, at which two Indians, the Maharaja of Bikaneer and Sir Satyendra Prasanna Sinha were invited for the first time, as nominees of the Government of India, there were no rational grounds for the idea that this would be attempted. For the Conference unanimously decided to leave the question of political or constitutional reconstruction of the Empire for future leisurely settlement, contenting itself in the meantime, by laying down certain broad principles that should regulate the course of Imperial policy and evolution. Those principles were formulated in the official statement of the decisions of the Conference published by the Colonial Secretary Mr Long, who presided over its sittings, and were in the following terms:—

1. The full recognition of the Dominions as autonomous nations of the Imperial Commonwealth;
2. The recognition of India as an important part of the Imperial Commonwealth;
3. The recognition of the right of the Dominions and of India to an adequate voice in the foreign policy and foreign relations;
4. The working out of effective arrangements for continuous consultations on all important matters of common imperial interest and for such concerted action, founded on consultation, as the several Governments determine.

In plain English this meant thst the Government of India which had hitherto no place or voice in the determination of Imperial policy will henceforth have a place in the Imperial Conference or Cabinet along with the Dominions Governments. This will give to Great Britain two additional seats in this Cabinet to protect special British interests as against the interests of the Dominions, if these should ever come in conflict with each other. The recognition given to India here is really the recognition of her status as a Dependency of Great Britain if not, indeed, of the whole of the self-governing group of the Empire. The statement made in Parliament by Mr. Lloyd George made this meaning absolutely clear. He said: "In the constitution of the Empire the Imperial War Cabinet would consist of the

British Premier and such of his colleagues as dealt with Imperial affairs, and Dominions Premiers or special representatives and an Indian representative appointed by the Government of India."

"It was hoped," the Premier added, "that this annual meeting (of the Imperial Conference) would become an accepted convention of the British constitution. In its present form the institution was elastic. They had not attempted to settle what constitutional developments this might lead to." The whole question of constitutional reconstruction of the Empire was reserved for future consideration.

But, while the question of constitutional reconstruction was thus reserved for future consideration, the Conference unanimously resolved to adopt Imperial Preference as the fundamental economic policy of the Empire. This clearly showed that while political reconstruction might wait, economic exploitation must be continued, and indeed, carried on more vigorously than ever before.

In the adoption of Imperial preference as the economic policy of the Empire, the Dominions proposed really no revolution in their own economic policy or traditions. They had always been great protectionists. But Great Britain had long given up protection in favour of free trade. This new policy of Imperial Preference, which was a form of protection, proposed, therefore, to revolutionise British economics. With the abandonment of Free Trade, the last anchor of old British Liberalism was destroyed. It meant the complete victory of the TIMES-MILNER School of British Imperialism. Indian politicians should seriously ponder over this fact, and try to realise what this means to their political and economic future.

Just ten years ago, on the 24th of May 1909, in its Empire-Day Supplement, *Times* published a very significant statement of the nature and ideals of this Imperialism which throws very considerable light on recent developments of Imperial policy. No one who does not clearly understand what this school of British Imperialism really stands for and strives after, will be able to seize the inwardness of all that is happening about him just now.

The fundamental postulate upon which this Imperialism stands is that the British Empire is really not one, but two Empires, (i) the self-governing Empire composed of the United Kingdom and her self-governing Dominions; and (ii) the depending or dependent Empire, including India and the Crown Colonies and Protectorates. These two parts of the British Commonwealth supplement each other, are indeed, each essential to the maintenance and progress of the other.

The TIMES-MILNER School of British Imperialism while frankly recognising the divergence, and even the mutual opposition of these two divisions of the British Empire, does not, however, regard them as really incompatible. On the contrary, the self-governing Empire and the depending Empire are "each essential to the other." Because, that which justifies the closer constitutional union and co-partnership between the members of the self-governing group, including the Dominions and the United Kingdom, equally justify the maintenance of the depending Empire, including India and Egypt.

The "essential justification of the

desire for a permanent constitutional union of the various self-governing communities of the Empire" is: (a) the sense of kindred, the pride in a common type of civilisation; (b) the consideration that "the break-up of the Empire would mean loss of kinship, estrangement, possibly even conflict"; and the consequent "danger and difficulty to the national life of each part from the aggression, economic or military, of foreign powers,—and in that category would inevitably be included the states that had at one time been united under the British flag;" and (c) the consideration that the constitutional union of the self-governing communities of the Empire would mean mutual peace, greater power for defence against conflicting civilisations and economic co-operation."

But though, as the *Times* admits, racial kinship, the desire to maintain a common civilisation, do not demand the maintenance of the Dependent Empire, "even here there is something akin to these grounds." Because the *Dependent Empire offers a large field for the propagation of British ideas, and institutions, and the working out of the problem of modern civilisation.*

But there are other and more practical considerations which demand the maintenance of the Dependent Empire at all cost. These considerations are two: first, military, and second economical.

From the military point of view, the population, and resources of the Dependent Empire, represent, positively, a direct addition to the defensive strength of the Empire, as a whole; and negatively, it takes away from the potential military resources of the rivals and possible enemies of the Empire.

From the economic point of view, the Dependent Empire affords (i) a great market for Imperial industries, and (ii) an almost unlimited source of supply of raw materials for these industries. *From the economic point of view*, "*the Dependent Empire, which is also the tropical Empire, is an essential and indispensable correlative to the self-governing Empire which lies almost wholly in the temperate zone*".

And the *Times* adds:—"At present it is mainly the United Kingdom *which profits by this integral connection between its industries and the raw materials and consuming power of its tropical dependencies. But the other self-governing states of the Empire are rapidly passing from the purely agricultural to the industrial state, and as that process develops, will become increasingly conscious of the value of the Dependent Empire, which, indeed, is in many respects the biggest asset which the United Kingdom will contribute to the common stock when it enters into real partnership with them.*"

In justice to this TIMES-MILNER School of British Imperialism, it should be frankly recognised that it has something to offer to the Dependent Empire also, something which is essential for its security against (a) external aggression, (b) internal disorder, tyranny, and oppression, and (c) for its economic development and advance to a higher civilisation.

"Imperial rule means for the dependencies security against external aggression, freedom from domestic anarchy and oppression, the development of their resources, a market for their products and a steady progress towards a higher civilisation. The union of the self-governing Empire would in no way lessen these advantages. It will furnish the military and naval protection which England alone cannot

furnish indefinitely. It will provide the tropical regions of the Empire with an ever-increasing market in the temperate zone."

And we are further assured that "the maintenance of Dependent Empire, *its development to its highest economic capacity, its contentment, its political progress, are of vital interest to the future of every part of self-governing Empire*." And two conclusions follow from all these considerations, regarding imperial policy and endeavour in the immediate present: these are the duty

1. of "strengthening and uniting the governing portion of the Empire;" and

2. "of developing and helping forward the governed."

But, as the first of these, namely, the union of the self-governing Empire and the substitution of "the partner State" in the place of the United Kingdom, as the power responsible for the peace and progress of the Dependent Empire, will take time, and must await future turn of Imperial and world-politics, the way towards it can be prepared in several directions. The *Times* frankly indicated these lines of advance.

"In the first place, preferential trade relations between the Dominions and the Crown Colonies and India can do much to awaken the consciousness of mutual interest and to increase on the part of the Dominions, their knowledge of the nature of the inheritance which they are to administer in the future."

In the second place, an effort should be made to enlist the energy and ability of the growing manhood of the Dominions in the government of the Dependent Empire.

"At present that administration is open to them in theory. But in practice the opportunity is very limited. The way into the Indian Civil Service is made easy and smooth for the young Englishman. The examination has been intentionally adapted to the ordinary Oxford or Cambridge course, so that he can make up his mind to compete at the last moment. The examination itself is held within two hours' journey of his University. It is absurd to say that the Canadian or Australian youth has the same opportunities unless he cuts himself off from the ordinary studies of his country and comes over at a great expense to study in England. The Rhodes scholarships may help to surmount the difficulty, but the only really satisfactory method is to allot so many places to each of the Dominions and to hold examinations locally or accept the nominations of the local Universities authorities."

Finally,—and this is the most significant item in the programme of this school of Imperalism,—the old policy of *laissez faire* must be definitely abandoned in the administration of the Dependent Empire, the chief idea of which has hitherto been, to preserve order, and impose (?) justice, trusting to individual enterprise to bring about economic progress. Such a policy is no longer possible.

"A positive policy of development, by preferences, by bounties, by steamship subsidies, by the vigorous building of railways, by well-equipped agricultural and forestry and mining departments, must be carried out if the dependent Empire is to play its proper part in the whole economic and defensive scheme, and if it is to be fit for any degree of political progress. The latter can only come by gradual stages, and on lines suited to the peculiar conditions of each part, and not by the hasty application of principles only workable under entirely different circumstances. The rapid extension of self-government to the communities of British race was only possible because each individual contained in himself the whole political system which it had taken centuries to build up in Great Britain. Its extension in the dependent Empire must not only be gradual, but must follow the inherent bent of the particular community,

and can only approximate satisfactorily to the British type as the mind of the community itself approximates to that type."

In the meantime, however, British and Dominions Imperialists must apply themselves to the double task of :—

(i) "strengthening and uniting the governing portion of the Empire", that is, the United Kingdom and her self-governing Dominions, with a view to work together in

(ii) "developing and helping forward the governed" which means India, Egypt and the Crown Colonies. And in the performance of this task, "a positive policy of development by preferences, by bounties, by steamship subsidies, by the vigorous building of railways, by well-equipped agricultural and forestry and mining departments," must be carried out.

This is the real nature of the economic reconstruction which will be, in fact is already being, attempted, with a view to revive and extend the trade of the United Kingdom and the Dominions which has become so absolutely necessary for the maintenance of the credit of the Empire and for meeting the heavy obligations which the war has imposed upon the British Exchequer.

We shall consider this aspect of the question in our next article.

BIPIN CHANDRA PAL.

Notes and Comments.

His Honour Sir Edward Gait of Behar and Orissa has recommended the "largely increased admission of Indians into the superior services which have considerable influence in shaping legislation and regulating the conduct of the administration, and has strongly urged the Indianisation of the "superior services up to the limit of one-half as the immediate goal of endeavour." No wonder he has lost caste with *the Englishman and Co* and refused to sign the precious memorandum of "the little five" who have tilted against the Montagu-Chelmsford scheme of reforms.

* * *

Swami Shraddhananda the leader of the Satyagraha movement at Delhi has resigned his membership of the Satyagraha Sabha and in his letter of resignation has clearly stated his reasons thus :—You have suspended the civil breaking of laws *temporarily* because in your opinion 'a crisis has arisen in the country and it was not suited to the occasion.' You, however, hope that 'when tranquility was restored in the country and the people had thoroughly imbibed the true principles of it (Satyagraha),' the movement would be started again. Now I am convinced that so long as the present system of Government lasts, there is no hope either of tranquility being restored in the country, or the people at large being allowed to imbibe practically what you call 'the true principle of Satyagraha' through the signing of vows of sympathy on paper. I am therefore convinced that under the present conditions in India, the civil breaking of laws without producing upheaval among masses, (for which neither you, nor any Satyagrahi is morally responsible) is impossible. Hence consistently with the views you hold, the time for the civil disobedience of laws other than the Rowlatt Act, will never arise in the near future. I am further of opinion, that, when real tranquility is restored in India, the Rowlatt Act will have gone out and again no occasion of civil disobedience of laws on its account will arise. The result is that the actual result of my signing the Satyagraha vow formulated by you having disappeared I beg your leave to withdraw my name from the Satyagraha Sabha founded by you.

This is a clear exposition of the unsuitability of the high ideal of Satyagraha to the present conditions of the country.

* * *

Pandit Madan Mohan Malaviya who resigned his seat in the Imperial Legislative Council as a protest against the passage of the Rowlatt Act has been once again returned unopposed by the United

Provinces. Though we shall always be glad to see this veteran publicist in the Legislative Chamber ready to expound the popular point of view on every question that crops up therein, still we are not much enamoured of the inconsistency shown in the resignation and the re-election and the handle thus given to cynical critics to sneer at us. On the other hand we have nothing but admiration for Mr. B. D. Shukul who still sticks to his gun and will not budge an inch. Replying to a letter asking him to be re-elected, Mr. Shukul writes :— Reasons which led me to tender my resignation are too widely known to need reiteration and nothing to my knowledge has transpired since then which could enhance my confidence in the efficacy of the non-official Indian voice in the deliberations of that august Assembly. Rather I, for one, feel still more depressed particularly in view of the circumstances under which even Sir Sankaran Nair found his position as a member of the Government of India's Executive Council untenable and is reported to have resigned his seat just lately. In these circumstances I regret I cannot see my way to change my position and thus to abide by the general wishes of the people.

Sandhya Upasana.

[By Radnus B. Divard.]

(*continued.*)

Two Pictures.

Here is a description of Hindu society as it was in former times when Emperor Dasharatha had the reins of Government of this country in his own hands and when people had not acquired the art of scoffing at Varnashrama dharma in the name of learning.

तस्मिन् पुरवरे हृष्टा धर्मात्मानो बहुश्रुताः ।

नरास्तुष्टा धनैः स्वैः स्वैरलुब्धाः सत्यवादिनः ॥

In that great city lived men who were happy, the very souls of dharma, learned, contented with their own wealth, free from covetousness and upholders of truth.

नाल्पसंनिचयः कश्चिदासीत्तस्मिन्पुरोत्तमे ।

कुटुम्बी यो ह्यसिद्धार्थोऽगवाश्च धनधान्यवान् ॥

There was none in that best of cities who was poor in wealth, nor any householder who had his wants unfulfilled, nor one who possessed no cows, horses, riches and grain.

In those days men did not look upon mere heaps of gold and silver alone as wealth. They knew that in times of famine and war, the glittering metal could neither satisfy their hunger nor quench their thirst. As regards horses, modern science can dispense with them, for the automaton and other mechanical craft would decidedly lighten the work of the horse as a beast of burden while the cow is still a little useful as mordern science has still to invent the means of supplying the delicacies of the dinner table which at the present time is enriched by the flesh of the cow !

कामी वा न कदर्यो वा नृशंसः पुरुषः क्वचित् ।

द्रष्टुं शक्यमयोध्यायां नाविद्वान्न च नास्तिकः ॥

It was impossible to find in Ayodhya a man who was subject to cupidity, or one who was miserly or cruel or one who was not learned or one who was a heretic.

They say, in these days, education has recently advanced everywhere by leaps and bounds but it has to be borne in mind that every one of Dasaratha's subjects was educated. Without the help of platform oratory, without any fuss for compulsory primary education, without crying for educational grants, without sanitary buildings 'to conceal the meanness of the instructions imparted in it' and without trained teachers all the people of Ayodhya could acquire knowledge. They were not only learned but their learning was combined with faith in God. We have quite an army of professors now-a-days but how many of them sincerely believe in the existence of God? Learning is now too common and so is heresy. God has gradually to yield ground to science which surreptitiously pries into His secrets and officiously denies His existence.

सर्वे नराश्च नार्यश्च धर्मशीलाः सुसंयताः ।

मुदिताः शीलवृत्ताभ्यां महर्षय इवामलाः ॥

All men and women were steadfast in Dharma like pure Maharishis and found

pleasure in good character and good conduct.

स्वकर्मनिरता नित्यं ब्राह्मणा विजितेन्द्रियाः ।
दानाध्ययनशीलाश्च संयताश्च प्रतिग्रहे ॥

The Brahmanas were interested in their own Karma and had their senses under full control; charity and study were their characteristics; and they exercised restriction in receiving gifts.

What a world of difference between them and their descendents of to-day! The Modern Brahman, abandoning his own Dharma, devotes himself heart and soul to servitude. The Vaidic Brahman (all Brahmans are Vaidic but only the priestly class is now designated by this term) thinks it his only duty to receive *Dakshina* or gifts while in making gifts he considers himself learned to observe the virtue of self-control.

नास्तिको नानृती वापि न कश्चिदबहुश्रुतः ।
नासूयको न चाशक्तो नाविद्वान्विद्यते क्वचित् ॥

There was none who was an atheist or a liar or who had limited knowledge, or, who was envious, or who was weak or who was not learned.

In this verse it is stated that all the men of Ayodhya were strong physically as well as mentally. Our present-day men while having intellectual attainments beyond reproach, sadly lack in physical strength. A graduate is almost always a skeleton of a human being, with short-sight, sunken cheeks narrow chest, grey hair and withered books! These are the future props of India!

नाषडङ्गविदत्रास्ति नाव्रतो नाबहुश्रुतः ।
न दीनः क्षिप्तचित्तो वा व्यथितो वापि कश्चन ॥

There was none who was not well versed in the Angas, nor one who was not firm in vows nor one who had not wide knowledge nor one who was miserable, nor one who was of restless mind, nor one who was subject to suffering.

दीर्घायुषो नराः सर्वे धर्मं सत्यं च संश्रिताः ।
सहिताः पुत्रपौत्राश्च नित्यं स्त्रीभिः पुरोत्तमे ॥

In that best of cities, men whose support was truth and dharma, lived a long life with their wives, sons and grandsons.

क्षत्रं ब्रह्ममुखं चासीद्वैश्याः क्षत्रमनुव्रताः ।
शूद्राः स्वकर्मनिरतास्त्रीन्वर्णानुपचारिणः ॥

The Kshattriyas respected the Brahmans, and the Vaishyas followed the Kshattriyas; the Shudras who took interest in their own Dharma, respected the other three castes.

Thus we see that the society was an ideal one in those days. The people were happy, rich, strong and long-lived, learned and god-fearing. What else can one desire in life?

Here is a picture of the current Yuga from the Mahabhagavata:—

यदा मायानृतं तन्द्रा निद्रा हिंसा विषादनम् ।
शोको मोहो भयं दैन्यं स कलिस्तामसः स्मृतः ॥

When people indulge in illusion, falsehood, lethargy, oversleep, killing, despondency, grief, delusion, fear and wretchedness it is said to be Kali, the product of darkness.

यस्मात्क्षुद्रदृशो मर्त्याः क्षुद्रभाग्यमहाशनाः ।
कामिनो वित्तहीनाश्च स्वैरिण्यश्च स्त्रियोऽसतीः ॥

The Kali makes mortals mean-minded, mean in fortune, greedy, passionate, and indigent and it makes woman unrestrained and licentious.

दस्यूत्कृष्टा जनपदा वेदाः पाखण्डदूषिताः ।
राजानश्च प्रजाभक्षाः शिश्नोदरपरा द्विजाः ॥

The villages will be the haunts of Dasyus (devils), Vedas wlll be saddled with heretical interpretations, kings will devour their own subjects and the Brahmans will be solely bent on the satisfaction of the stomach and the sexual organ.

अव्रता बटवोऽशौचा भिक्षवश्च कुटुम्बिनः ।
तपस्विनो ग्रामवासिन्योऽसिद्धार्थलोलुपाः ॥

The Brahmacharis will lead a life of impurity and unbridled passions; ascetics will be house-holders; Men given to self-mortification will live in villages with a view to satisfy their craving for wealth.

ह्रस्वकाया महाहारा भूर्यपत्या गतह्रियः ।
शश्वत्कटुकभाषिण्यश्चौर्यमायोरुसाहसाः ॥

The people will be short in stature with a disproportionate capacity for eating in addition to that of producing quite an incredible number of children and with a total absence of modesty. They will be

always harsh of speech and daring in committing acts of robbery and deceit.

पणयिष्यन्ति वै क्षुद्राः किरीटाः कूटकारिणः ।
अनपद्यपि मंस्यन्ते वार्तां साधूं जुगुप्सिताम् ॥

Mean-minded and deceitful merchants will have all trade in their own hands and detestable speech will pass for the best even in normal times.

पतिं त्यक्ष्यन्ति निर्द्रव्यं भृत्याप्यखिलोत्तमम् ।
भृत्यं विपन्नं पतयः कौलं गाश्चापयस्विनीः ॥

Servants forsake the best of their masters amidst poverty and masters also dismiss their ancestral servants in the midst of calamities; so also cows when they no longer give milk are left uncared for.

पितृभ्रातृसुहृत्ज्ञातीन्हित्वा सौरतसौहृदाः ।
ननन्दस्यालसंवादा दीनाः स्त्रैणाः कलौ नराः ॥

Men, who will be wretched and sensuous in Kali Yuga, will desert their parents, brothers, friends and kinsmen and will form friendships with persons having their relations arising from sensuality (that is, those related to the wife.) The wife's brothers and sisters will find favour in their eyes.

शूद्राः प्रतिगृहिष्यन्ति तपोवेषोपजीविनः
धर्मं वक्ष्यन्त्यधर्मज्ञा अधिरुह्योत्तमासनम् ॥

Sudras will put on the garb of penitants for the sake of their subsistence and will receive gifts; men who know nothing of dharma will preach sermons on dharma from the pulpit.

नित्यमुद्विग्नमनसो दुर्भिक्षकरपीडिताः ।
निरन्ने भूतले राजन्नानावृष्टिभयातुराः ॥

Men, always melancholy and crushed by famine and heavy taxation, will live in constant fear of drought, there being scarcity of food.

वासोऽन्नपानशयनव्यवायस्नानभूषणैः ।
हीनाः पिशाचसंदर्शाः भविष्यन्ति कलौ प्रजाः ॥

People in Kaliyuga will be without clothing, food, drink, lustre, bath and ornaments and will present the appearanee of devils.

कलौ काकिणिकेऽप्यर्थे विगृह्य त्यक्तसौहृदाः ।
त्यक्ष्यन्ति च प्रियान्प्राणान्हनिष्यन्ति च स्वकानपि ॥

Man, for the sake of even little gain will sever connection with their friends and abandon them; they will even commit suicide and murder their own people for the sake of money.

न रक्षिष्यन्ति मनुजाः स्थविरौ पितरावपि ।
पुमान्सर्वार्थकुशलान्क्षुद्राः शिश्नोदरंभराः ॥

Men will not protect their parents and the latter also mean and intent on satisfying the sexual organ and the stomach will not take care of their sons, though they (the sons) be clever in everything.

कलौ न राजञ्जगतां परं गुरुं
त्रैलोक्यनाथनतपादपङ्कजम् ।
प्रायेण मर्त्या भगवन्तमच्युतं
यक्ष्यान्ति पाखण्डविभिन्नचेतसः ॥

In Kali, people, whose mind will be distracted by their heretical views, will not worship the Lord Achyuta, who is the greatest Master of the world and at whose feet fall the masters of the three worlds.

Olla Podrida.

A few days ago Reuter wired that the English Police were going to strike. This certainly ought to arrest attention. Naturally it will arrest attention as it relates to the Police whose duty it is to arrest.

* * *

We learn that a Spartacist leader, Levine by name has been condemned to death for high treason. When governments are set up and pulled down day after day, we wonder what is treason and what is not treason.

* * *

Quite recently some of the women of India have demanded voters at the tongue's point. We must await the result of this new campaign.

* * *

There is not only a change of functions in the world in the realm of womanhood. But the world is moving fast elsewhere also. Quite recently we heard about shooting cameras. The photographic apparatus in airships is used to record the path of bombs directed from aeroplanes.

* * *

We are thus living in very striking and stirring times. But is all movement necessarily progress!

SCRUTATOR.

Indian Reforms Bill.

Full Text Measure.

OFFICIAL PRESS COMMUNIQUE.

The accompanying text represents what the Government of India believe to be the language of the Bill to make further provision with respect to the Government of India which has been introduced in Parliament but its absolute accuracy cannot be guaranteed owing to the difficulty of conveying by telegraph all the textual changes made in earlier versions.

A Bill.

To make further provision with respect to the Government of India.

Whereas, with a view to the progressive realisation of responsible government in British India as an integral part of the Empire it is expedient gradually to develop self-governing institutions in that country:

And whereas concurrently with the gradual development of such Institutions in the Provinces of India it is expedient to give to those Provinces in provincial matters the largest measure of independence of the Government of India, which is compatible with the due discharge by the latter of its own responsibilities:

Be it, therefore, enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I.

LOCAL GOVERNMENTS.

1. (1) Provision may be made by rules under the Government of India Act, 1915, as amended by the Government of India (Amendment) Act, 1916 (which Act, as so amended, is in this Act referred to as "the principal Act"):—

(*a*) for the classification of subjects, in relation to the functions of government, as central and provincial subjects, for the purpose of distinguishing the functions of local governments and legislatures from the functions of the Governor-General in Council, and the Indian Legislature.

(*b*) for the devolution of authority in respect of provincial subjects, and for the allocation of sources of revenue, to local governments;

(*c*) for use under the authority of the Governor-General in Council of the agency of local governments in relation to central subjects, in so far as such agency may be found convenient; and

(*d*) for the transfer from among the provincial subjects of subjects (in this Act referred to as "transferred subjects") to the administration of the Governor acting with the minister in charge of the subject, and for the allocation of provincial funds for the purpose of such administration.

(2) Rules made for the above-mentioned purposes may—

(i) regulate the extent and conditions of such devolution, allocation, and transfer;

(ii) provide for fixing the contributions payable by local Governments to the Governor-General in Council and making such contributions a first charge on provincial revenues;

(iii) provide for constituting a finance department in any province and regulating the functions of that department;

(iv) provide for regulating the exercise of the authority vested in the local Government of a province over members of the public services therein;

(v) provide for the settlement of doubts arising as to whether any matter does or does not belong to a provincial subject, or a transferred subject and for the treatment of matters which affect both a transferred subject which is not transferred; and

(vi) make such consequential and supplemental provisions as appear necessary or expedient:

Provided that without prejudice to any general power of revoking or altering rules under the principal Act, the rules shall not authorise the revocation or suspension of the transfer of any subject except with the sanction of the Secretary of State in Council.

PROVISION AS TO POWERS OF CONTROL OF GOVERNOR-GENERAL IN COUNCIL.

(3) The powers of superintendence, direction and control over local Governments vested in the Governor-General in Council under the principal Act shall in relation to transferred subjects be exercised only for such purposes as may be specified in rules made under that Act, but the Governor-General in Council shall be the sole judge as to whether the purpose of the exercise of such powers in any particular case comes within the purposes so specified.

(4) The expressions "central subjects" and "provincial subjects" as used in this Act mean subjects so classified under the rules.

Provincial subjects, other than transferred subjects, are in this Act referred to as "reserved subjects."

REVISED SYSTEM OF LOCAL GOVERNMENT.

2. (1) The Presidencies of Fort William in Bengal, Fort St. George, and Bombay, and the provinces known as the United Provinces, the Punjab, Bihar and Orissa, the Central Provinces, and Assam, shall be governed in relation to reserved subjects by a Governor in Council and, in relation to any transferred subject, save as otherwise provided by this Act, by a Governor acting with the minister appointed under this Act and in charge of the subject.

The said presidencies and provinces are in this Act referred to as "governors' provinces" and the two first-named presidencies are in this Act referred to as the presidencies of Bengal and Madras.

(2) The provisions of sections forty-six to fifty-one of the principal Act, as amended by this Act, shall apply to the United Provinces, the Punjab, Bihar and Orissa, the Central Provinces, and Assam, as they apply to the presidencies of Bengal, Madras, and Bombay.

APPOINTMENT OF MINISTERS.

3. (1) The Governor of a Governor's province may, by notification, appoint ministers, not being members of his Executive Council or other officials, to administer transferred subjects, and any ministers so appointed shall hold office during his pleasure.

There shall be paid to any minister so appointed such salary as the Governor, subject to the sanction of the Secretary of State, may determine.

(2) No minister shall hold office for a longer period than three months, unless he is or becomes an elected member of the local legislature.

(3) In relation to a transferred subject, the Governor shall be guided by the advice of the minister in charge, unless having regard to His Majesty's instructions he sees sufficient cause to dissent from the opinion of the Minister, in which case he may require action to be taken otherwise than in accordance with that advice.

(4) Provision may be made by rules under the principal Act for the temporary administration of a transferred subject where, in cases of emergency owing to a vacancy, there is no minister in charge of the subject by such authority and in such manner as may be prescribed by the rules.

QUALIFICATION OF MEMBERS OF LOCAL EXECUTIVE COUNCILS.

4. (1) The Provision in section forty-seven of the principal Act, that two of the members of the Executive Council of the Governor of a province must have been for at least twelve years in the service of the Crown in India, shall have effect as though "one" were substituted for "two" and the provision in that section that the Cammander-in-Chief of His Majesty's forces in India, if resident at Calcutta, Madras or Bombay, shall, during his continuance there, be a member of the Governor's Council, shall cease to have effect.

(2) Provision may be made by rules under the principal Act as to the qualifications to be required in respect of members of the Executive Council of the Governor of a province in any case where such provision is not made by section forty-seven of the principal Act as amended by this section.

BUSINESS OF THE GOVERNOR IN COUNCIL AND THE GOVERNOR WITH MINISTERS.

5. (1) All orders and other proceedings of the local Government of a Governor's province shall be expressed to be made by the Government of the province and shall be authenticated as the Governor may by rule direct.

(2) The Governor may make rules and orders for the more convenient transaction of business in his Executive Council and with his ministers, and every order made or Act done in accordance with those rules and orders shall be treated as being the order or the Act of the Government of the province.

The Governor may also make rules and orders for regulating the relations between his Executive Council and his ministers for the purpose of the transaction oi the business of the local Government.

LOCAL LEGISLATURES.

6. (1) The aggregate number of members of the Governor's Legislative Councils, the number of members elected by general, communal and other electorates respectively, and the number of nominated non-official members shall be in accordance with the table set out in the First Schedule to this Act:

Provided that—

(*a*) rules under the principal Act may provide for increasing by not more than five per cent. the aggregate number of members of any Council as specified in that Schedule, and for varying the proportions which the classes of members specified in that Schedule bear to one another; so, however, that at least seventy per cent. of the members of every Governor's Legislative Council shall be elected members and that not more than twenty per cent. of the aggregate shall be official members; and

(*b*) the Governor may, for the purpose of any Bill introduced or proposed to be introduced in the Legislative Council, nominate in the case of Assam one person and in the case of other provinces not more than two persons having special knowledge or experience of the subject-matter of the Bill and those persons shall, in relation to the Bill, have, for the period for which they are nominated, all the rights of members of the Council and shall be in addition to the aggregate above referred to.

(2) The powers of a Governor's Legislative Council may be exercised notwithstanding any vacancy in the Council.

(3) Subject as aforesaid provision may be made by rules under the principal Act as to—

(*a*) the term of office of members of a Governor's Legislative Council and the manner of filling casual vacancies occuring by reason of absence from India, inability to attend to duty, death, acceptance of office, resignation duly accepted, or otherwise, and

(*b*) the conditions under which and manner in which persons resident in India may be nominated or elected as members of Governor's Legislative Councils, and

(*c*) the qualifications for being, and for being nominated or elected, a member of any such Council, and

(*d*) the final decision of doubts or disputes as to the validity of any election.

4. Subject to any such rules any person who is a ruler or subject of any State in India may be nominated as a member of a Governor's Legislative Council.

MEETING OF GOVERNOR'S LEGISLATIVE COUNCIL.

7. (1) A Governor may appoint such times for holding the sessions of his Legislative Council as he thinks fit, and may also by notification or otherwise prorogue the Council.

(2) Any meeting of a Governor's Legislative Council may be adjourned by the person presiding.

(3) All questions in a Governor's Legislative Council shall be determined by a majority of votes of the members present other than the person presiding, who shall, however, have and exercise a casting vote in the case of an equality of votes.

(4) A Governor's Legislative Council may be dissolved at any time by the Governor by notification, but in that case the Governor shall appoint a date not more than six months after the date of dissolution for the next session of his Legislative Council.

POWERS OF LOCAL LEGISLATURES.

8. (1) The Local Legislature of any province has power, subject to the provisions of this Act, to make laws for the peace and good government of the territories for the time being constituting that province.

(2) The local legislature of any province may, subject to the provisions of the sub-section next following, repeal or alter as to that province any law made either before or after the commencement of this Act by any authority in British India other than that local legislature.

(3) The local legislature of any province may not, without the previous sanction of the Governor-General, make or take into consideration any law—

(*a*) imposing or authorising the imposition of any new tax unless the tax is a tax (in this Act referred to as a "scheduled tax") scheduled as

exempted from this provision by rules made under the principal Act; or

(b) affecting the public debt of India, or the customs duties or any other tax or duty for the time being in force and imposed by the authority of the Governor-General in Council for the general purposes of the Government of India, provided that the imposition or alteration of a scheduled tax shall not be deemed to affect any such tax or duty; or

(c) affecting the discipline or maintenance of any part of his Majesty's naval, military, or air forces; or

(d) affecting the relations of the Government with foreign princes or States; or

(e) regulating any central subject; or

(f) regulating any provincial subject which has been declared by rules under the principal Act to be, either in whole or in part, subject to Indian legislation, in respect of any matter to which such declaration applies; or

(g) affecting any power expressly reserved to the Governor-General in Council by any law for the time being in force; or

(h) altering or repealing the provisions of any law which having been made before the commencement of this Act by any authority in British India other than that local legislature is scheduled by rules under the principal Act as a law which cannot be repealed or altered by the local legislature without previous sanction; or

(i) altering or repealing any provision of a law passed by the Indian legislature after the commencement of this Act which, by the terms of such law may not be repealed or altered by the local legislature without previous sanction;

Provided that an Act or a provision of an Act made by a local legislature, and subsequently assented to by the Governor-General in pursuance of this Act, shall not be deemed invalid by reason only of its requiring the previous sanction of the Governor-General under this Act.

(4) The local legislature of any province has no power to make any law affecting any Act of Parliament.

BUSINESS TO BE CARRIED ON BY LOCAL LEGISLATURES.

9. (1) Sub-sections (1) and (3) of section eighty of the principal Act (which relate to the classes of business which may be transacted at meetings of local Legislative Councils) shall cease to apply to a Governor's Legislative Council, but the business and procedure in any such Council shall be regulated in accordance with the provisions of this section.

(2) The proposals of the local Government for the appropriation of the provincial revenues in any year shall be submitted to the Council for its assent in the form of resolutions:

Provided that

(a) the local Government shall have power, in relation to any such resolution, to act as if it had been assented to notwithstanding the withholding of such assent, if the resolution relates to a reserved subject, and the Governor certifies that the expenditure provided for by the resolution is essential to the discharge of his responsibility for the subject;

(b) the Government shall have power in cases of emergency to authorise such expenditure as may be in his opinion necessary for the safety and tranquility of the province or for the carrying on of any department;

(c) nothing in this sub-section shall require proposals to be submitted to the Council in regard to expentiture which is declared by rules under the principal Act to be a permanent charge on provincial revenues; and

(d) no proposal for the appropriation of any such revenues for any purpose or for the increase of the amount of expenditure authorised or proposed to be authorised by any resolution shall be made except on the recommendation of the Governor communicated to the Council.

(3) Provision shall be made for the appointment from among the members of the Council of grand committees on which a majority of the members shall be nominated members, selected by the Governor, with power, in cases specially referred to them, to pass or reject laws without the assent of the Council, which laws shall, if passed, have the same effect as laws passed by the Council.

(4) Where any Bill relating to a reserved subject has been introduced, or is proposed to be introduced, or an amendment to such a Bill is moved, the Governor may certify that the Bill or any clause of it or the amendment is essential to the discharge of his responsibility for the reserved subjects, and the Bill, clause or amendment shall thereupon be referred to a grand committee.

(5) Where any Bill has been introduced, or is proposed to be introduced, or any amendment to a Bill is moved, or proposed to be moved, the Governor may certify that the Bill or any clause of it or the amendment affects either—

(a) the safety or tranquility of his province or any part of it, or of another province, or

(b) the interests of a specified reserved subject;

and may direct either that no proceedings or no further proceedings shall be taken by the Council in relation to the Bill, clause or amendment, or, if he thinks fit and if the council so desire, that the Bill, clause or amendment shall be referred to a grand committee, and the Bill, clause or amendment shall be dealt with in accordance with such direction.

(6) Provision may be made by rules under the principal Act for the purpose of carrying into effect the foregoing provisions of this section and for regulating the course of business in the Council, and as to the persons to preside over and for the preservation of order at meetings thereof; and the rules may provide for the number of members required to constitute a quorum and for prohibiting or regulating the asking of questions on and the discussion of any subject specified in the rules.

(7) Standing orders may be made providing for the conduct of business and the procedure to be followed in the Council, in so far as these matters are not provided for by rules made under the principal Act. The first standing orders shall be made by the Governor in Council, but may, subject to the assent of the Governor, be altered by the local legislatures.

(8) There shall be freedom of speech in the Governor's Legislative Council. No person shall be liable to any proceedings in any courts by reason of his speech or vote in any such Council or by reason of anything contained in any official report of the proceedings of any such Council.

ASSENTS TO ACTS OF LOCAL LEGISLATURE.

10. (1) Where a Bill has been passed by a local Legislative Council, the Governor, Lieutenant-Gover-

nor or Chief-Commissioner may, instead of declaring that he assents to or withholds his assent from the Bill, return the Bill to the Council for reconsideration either in whole or in part, together with any amendments which he may recommend, or in cases prescribed by rules under the principal Act may, and, if the rules so require, shall reserve the Bill for the consideration of the Governor-General.

(2) Where a Bill is reserved for the consideration of the Governor-General, the following provisions shall apply:—

(a) The Governor, Lieutenant-Governor or Chief Commissioner may, at any time within six months after the date of the reservation of the Bill, with the consent of the Governor-General, but not otherwise, return the Bill for further consideration by the Council with a recommendation that the Council shall consider amendments thereto, and such Bill, when so returned, together with any recommendations relating thereto, shall be dealt with by the Council;

(b) After any Bill so returned has been further considered by the Council, together with any recommendations made by the Governor, Lieutenant-Governor or Chief Commissioner, relating thereto, the Bill, is re-affirmed in accordance with the appropriate procedure, with or without amendment, may be again presented to the Governor, Lieutenant-Governor or Chief Commissioner;

(c) Any Bill reserved for the consideration of the Governor-General shall, if assented to by the Governor-General within a period of six months from the date of such reservation, become law on due publication of such assent in the same way as a Bill assented to by the Governor, Lieutenant-Governor or Chief Commissioner, but if not assented to by the Governor-General within such period of six months shall lapse and be of no effect unless before the expiration of that period either—

(i) the Bill has been returned by the Governor, Lieutenant-Governor or Chief Commissioner for further consideration by the Council; or

(ii) in the case of the Council not being in session, a notification has been published of an intention so to return the Bill at the commencement of the next session.

(3) The Governor-General may (except where a Bill has been reserved for his consideration), instead of assenting to or withholding his assent from any Act passed by a local legislature, declare that he reserves the Act for the signification of His Majesty's pleasure thereon, and in such case the Act shall not have validity until His Majesty has signified his assent to the Governor-General through the Secretary of State in Council, and his assent has been notified by the Governor-General.

VACATION OF SEATS IN GOVERNOR'S LEGISLATIVE COUNCIL.

11. An official shall not be qualified for election as a member of a Local Legislative Council and if any non-official member of a local Legislative Council, whether elected or nominated, accepts any office in the service of the Crown in India, his seat on the Council shall become vacant, provided that for the purposes of this provision a minister shall not be deemed to be an official and a person shall not be deemed to accept office on appointment as a minister.

CONSTITUTION OF NEW PROVINCES.

12. (1) The Governor-General in Council may, by notification with the sanction of His Majesty previously signified by the Secretary of State in Council, constitute a new Governor's province, or place part of a Governor's province under the administration of a deputy-governor, and may in any such case apply, with such modifications as appear necessary or desirable all or any of the provisions of the principal Act relating to Governor's provinces, or provinces under a Lieutenant-Governor or Chief Commissioner, to any such new province or part of a province.

(2) The Governor-General in Council may declare any territory within any Governor's province to be a backward tract, and the Governor-General in Council may, by notification, with such sanction as aforesaid, direct that the principal Act and this Act shall apply to that territory subject to such exceptions and modifications as may be prescribed in the notification.

13. (1) The validity of any order made or action taken after the commencement of this Act by the Governor-General in Council or by a local Government which would have been within the powers of the Governor-General in Council, or of such local Government, if this Act had not been passed, shall not be open to question in any legal proceedings on the ground that by reason of any provision of this Act or of any rule made by virtue of any such provision such order or action has ceased to be within the powers of the Governor-General in Council or of the Government concerned.

(2) The validity of any law passed by the Indian Legislature or any local Legislature shall not be open to question in any legal proceedings on the ground that the law affects a provincial subject or a central subject, as the case may be.

(3) The validity of any order made or action taken by a Governor-in-Council, or by a Governor acting with a minister, shall not be open to question in any legal proceedings on the ground that such order or action relates or does not relate to a transferred subject, or relates to a transferred subject of which the Minister is not in charge.

PART II.

Government of India.

INDIAN LEGISLATURE.

14. Subject to the provisions of this Act, the Indian legislature shall consist of the Governor-General and two Chambers, namely, the Council of State and the Legislative Assembly.

15. (1) The Council of State shall consist of the Governor-General, the members of the Governor-General's Executive Council, and members nominated or elected in accordance with rules made under the principal Act.

(2) The Council of State shall consist of fifty-six members (exclusive of the Governor-General), the number of non-elected members shall be thirty-two, of whom at least four shall be non-official members, the number of elected members shall be twenty-four.

(3) The Governor-General, when present, shall preside in the Council of State and shall have power to appoint, from among the members of the Council of State, a vice-president and other persons to preside in such circumstances as he may direct.

LEGISLATIVE ASSEMBLY.

16. (1) The Legislative Assembly shall consist of the members of the Governor-General's Executive council and of members nominated or elected in accordance with rules made under the principal Act:

(2) The Legislative Assembly shall consist of one hundred and twenty members, the number of non-elected members shall be forty, of whom twenty-six shall be official members, the number of elected members shall be eighty-eight.

Provided that rules made under the principal Act may provide for increasing by not more than five per cent the aggregate number of members of the Legislative Assembly as fixed by this section, and may vary the proportion which the classes of members bear one to another; so, however, that at least two-thirds of the members of the Legislative Assembly shall be elected members, and at least one third of the other members shall be non-official members.

(3) The Governor General shall have the right of addressing the Legislative Assembly, and may for that purpose require the attendance of its members.

DURATION AND SESSIONS OF LEGISLATIVE ASSEMBLY AND COUNCIL OF STATE.

17. (1) Every Council of State shall continue for five years, and every Legislative Assembly for three years, from its first meeting:

Provided that—

(*a*) either chamber of the Legislature may be sooner dissolved by the Governor-General;

(*b*) any such period may be extended by the Governor-General if in special circumstances he so thinks fit; and

(*c*) after the dissolution of either chamber the Governor shall appoint a day not more than six months later for the next session of that chamber.

(2) The Governor-General may appoint such times for holding the sessions of the Indian Legislature as he thinks fit, and may also from time to time by notification or otherwise, prorogue the Indian Legislature.

(3) Any meeting of either chamber of the Indian Legislature may be adjourned by the person presiding.

(4) All questions in either chamber shall be determined by a majority of votes of members present other than the presiding member, who shall, however have and exercise a casting vote in the case of an equality of votes.

(5) The powers of either chamber of the Indian Legislature may be exercised notwithstanding any vacancy in the chamber.

VACATION OF SEATS IN INDIAN LEGISLATURE.

18. (1) An official shall not be qualified for election as a member of either chamber of the Indian legislature and if any non-official member of either chamber accepts office in the service of the Crown in India, his seat in that chamber shall become vacant.

(2) If an elected member of either chamber of the Indian Legislature becomes a member of the other chamber, his seat in such first-mentioned chamber shall thereupon become vacant.

RULES AS TO CONSTITUTION, ETC., OF LEGISLATIVE ASSEMBLY AND COUNCIL OF STATE.

19. (1) Subject to the provisions of this Act, provision may be made by rules under the principal Act as to—

(*a*) the term of office of nominated members of the Council of State and the Legislative Assembly, and the manner of filling casual vacancies occurring by reason of absence of members from India, inability to attend to duty, death, acceptance of office, or resignation duly accepted or otherwise; and

(*b*) the conditions under which and the manner in which persons resident in India may be nominated or elected as members of the Council of State or the Legislative Assembly; and

(*c*) the qualifications for being nominated or elected as members of the Council of State or the Legislative Assembly; and

(*d*) the final decision as to doubts or disputes as to the validity of an election.

(2) Subject to any such rules, any person who is a ruler or subject of any state in India may be nominated as a member of the Council of State or the Legislative Assembly.

RULES AS TO BUSINESS CARRIED ON BY INDIAN LEGISLATURE.

20. (1) Sub-sections (1) and (3) of section sixty-seven of the principal Act (which relate to the classes of business which may be transacted by the Indian Legislative Council) shall cease to have effect.

(2) Provision may be made by rules under the principal Act for regulating the course of business and preservation of order in the chambers of the Indian Legislature and as to the persons to preside at the meetings of the Legislative Assembly; and the rules may provide for the number of members required to constitute a *quorum* and for prohibiting or regulating the asking of questions on, and the discussion of, any subject specified in the rules.

(3) If any difference of opinion arises between the chambers of the Indian Legislature, in relation to legislation, the Governor-General may refer the matter for decision to a joint sitting of both chambers, or may return the matter for reconsideration by either chamber.

(4) Where the Governor-General in Council certifies that it is essential for the safety, tranquility, or interests of British India or any part thereof or for the purpose of meeting a case of emergency which has arisen that any law shall be passed, the Council of State shall have power to pass laws without the assent of the Legislative Assembly, which laws shall have effect as laws passed by both chambers.

(5) Rules made for the purpose of this section may contain such general and supplemental provisions as appear necessary for the purpose of giving full effect to this section.

(6) Standing orders may be made providing for the conduct of business and the procedure to be followed in either chamber of the Indian legislature in so far as these matters are not provided for by rules under the principal Act. The first standing orders shall be made by the Governor-General in Council, but may with the consent of the Governor-General be altered by the chamber to which they relate.

(7) There shall be freedom of speech in both chambers of the Indian Legislature. No person shall be liable to any proceedings in any court by reason of his speech or vote in either chamber, or by reason of anything contained in any official report of the proceedings of either chamber.

COMPOSITION OF GOVERNOR-GENERAL'S EXECUTIVE COUNCIL.

21. (1) The provision in section thirty-six of the

principal Act, that three at least of the members of the Governor-General's Executive Council must have been for at least ten years in the service of the Crown in India, shall have effect as though "two" were substituted for "three", and any other provision in that section directing that such members must possess any special qualifications and any provision in that section imposing any limit on the number of members of the Governor-General's Executive Council shall cease to have effect.

(2) Provision may be made by rules under the principal Act to the qualifications to be required in respect of members of the Governor-General's Executive Council, in any case where such provision is not made by section thirty-six of the principal Act as amended by this section.

(3) Sub section (2) of section thirty-seven of the principal Act (which provides that when and so long as the Governor-General's Executive Council assembles in a province having a Governor, the Governor shall be an extraordinary member of the Council), shall cease to have effect.

PART III.

Secretary of State.

PAYMENT OF SALARIES, ETC., OUT OF MONEYS PROVIDED BY PARLIAMENT.

22. The salary of the Secretary of State, the salaries of his Under-Secretary and any other expenses of his department may, notwithstanding anything in the principal Act, instead of being paid out of the revenues of India, be paid out of moneys provided by Parliament, and the salary of the Secretary of State shall be so paid.

CONTROL OF SECRETARY OF STATE AND GOVERNOR GENERAL.

23. The Secretary of State in Council may notwithstanding anything in the principal Act, by rule regulate and restrict the exercise of the powers of superintendence, direction, and control vested in the Secretary of State, the Secretary of State in Council, and the Governor-General in Council by the principal Act or otherwise in such manner as may appear necessary or expedient in order to give effect to the purposes of this Act.

Any such rules shall be laid before both Houses of Parliament as soon as may be after they are made and if an address is presented to His Majesty by either House of Parliament within the next thirty days on which that House has sat after the rules are laid before it praying that the rules or any of them may be annulled, His Majesty in Council may annul the rules or any of them and those rules shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

PART IV.

The Public Service in India.

24. (1) Subject to the provisions of the principal Act and of rules made thereunder, every person in the civil service of the Crown in India holds office during His Majesty's pleasure, and may be employed in any manner required by the proper authority within the scope of his duty, but no person in that service may be dismissed by any authority subordinate to that by which he was appointed.

(2) The Secretary of State in Council may make rules for regulating the classification of the public services in India, the methods of their recruitment, their conditions of service, pay and allowances, and discipline and conduct. Such rules may to such extent and in respect of such matters as may be prescribed delegate the power of making rules to the Governor-General in Council, or to local governments, or authorise the Indian legislature or local legislatures to make laws regulating the public services.

(3) The right to pensions and the scale and conditions of pensions of all persons in the civil service of the Crown in India appointed by the Secretary of of State in Council shall be regulated in accordance with the rules set out in the Second Schedule to this Act. The rules set out in that Schedule may be varied or added to by the Secretary of State in Council and shall have effect as so varied or added to but any such variation or addition shall not adversely affect the pension of any member of the service appointed before the date thereof. Nothing in this section or in any rule thereunder shall affect the provisions in relation to pensions contained in the East India Annuity Funds Act, 1874.

(4) For the removal of doubts it is hereby declared that all rules or other provisions in operation at the time of the passing of this Act, whether made by the Secretary of State in Council under the principal Act or by any other authority, relating to the civil service of the Crown in India, were duly made in accordance with the powers in that behalf, and are hereby confirmed; but any such rules or provisions may be revoked, varied or added to by rules or laws made under this section and any rules or provisions confirmed by this sub-section which affect pensions shall have effect subject to the provisions of the Second Schedule to this Act.

25. (1) Notwithstanding anything in Section ninety-seven of the principal Act the Secretary of State may make appointments to the Indian Civil Service of persons habitually resident in India in accordance with such rules as may be prescribed by the Secretary of State in Council with the concurrence of the majority of votes at a meeting of the Council of India. Any rules made under this section shall not have force until they have been laid for thirty days before both Houses of Parliament.

(2) The Indian Civil Service (Temporary Provisions) Act 1915 (which confers power during the war and for a period of two years thereafter to make appointments to the Indian Civil Service without examination) shall have effect as though "three years" were substituted for "two years."

PUBLIC SERVICE COMMISSION.

26. (1) There shall be established in India a public service commission, consisting of not more than five members, of whom one shall be chairman, appointed by the Secretary of State in Council. Each member shall hold office for five years, and may be reappointed. No member shall be removed before the expiry of his term of office, except by order of the Secretary of State in Council. The qualifications for appointment, and the pay and pension (if any) attaching to their office, shall be prescribed by rules made by the Secretary of State in Council.

(2) The public service commission shall discharge, in regard to recruitment and control of the public services in India, such functions as may be assigned thereto by rules made by the Secretary of State in Council.

FINANCIAL CONTROL.

27. (1) An auditor-general in India shall be appointed by the Secretary of State in Council, and shall hold office during His Majesty's pleasure. The

Secretary of State shall, by rules, make provision for his pay, duties, and conditions of employment by rules.

(2) Subject to any rules made by the Secretary of State in Council no office may be added to or withdrawn from the public service, and the emoluments of no post may be varied except after consultation with such finance authority as may be designated in the rules, being an authority of the province or of the Government of India, according as the post is or is not under the control of a local Government.

PART V.

Statutory Commission.

28. (1) At the expiration of ten years after the passing of this Act the Secretary of State shall submit for the approval of both Houses of Parliament the names of persons to act as a commission for the purpose of this section.

(2) The persons whose names are so submitted, subject to the approval of, and to any alterations made by Parliament, shall be a commission for the purpose of inquiring into the working of the system of government, the growth of education, and the development of representative institutions, in British India and the provinces thereof, and matters connected therewith, and the commission shall report as to whether and to what extent it is desirable to extend or modify the degree of responsible government then existing in any province.

(3) The commission shall also inquire into and report on any other matter affecting British India and the provinces, which may be referred to the commission by the Secretary of State.

PART VI.

General.

29. Notwithstanding anything in section one hundred and twenty-four of the principal Act, if any member of the Governor-General's Executive Council or any member of any local Government, was at the time of his appointment concerned or engaged in any trade or business, he may, during the term of his office, with the sanction in writing of the Governor-General, or, in the case of ministers, of the Governor of the province, and in any case subject to such general conditions and restrictions as the Governor-General in Council may prescribe, retain his concern or interest in that trade or business, but shall not, during that term, take part in the direction or management of that trade or business.

POWER TO MAKE RULES.

30. Where any matter is required to be prescribed or regulated by rules under the principal Act, different rules may be made for different provinces, and where no special provision is made as to the authority by whom the rules are to be made, the rules shall be made by the Governor-General in Council with the sanction of the Secretary of State in Council, and shall not be subject to repeal or alteration by the Indian legislature or by any local legislature. Any rules to which this section applies shall be laid before both Houses of Parliament as soon as may be after they are made and if an address is presented to His Majesty by either House of Parliament within the next thirty days on which that House has sat after the rules are laid before it praying that the rules or any of them may be annulled, His Majesty in Council may annul the rules or any of them and those rules shall henceforth be void but without prejudice to the validity of anything previously done thereunder.

AMENDMENTS OF PRINCIPAL ACT TO CARRY ACT INTO EFFECT, ETC.

31. The amendments set out in the Third Schedule to this Act, being amendments to carry out the provisions of this Act, and further amendments consequential on or arising out of those provisions, shall be made in the principal Act, and any question of interpretation shall be settled by reference to the principal Act as so amended.

DEFINITION OF OFFICIAL.

32. In this Act the expressions "official" and "non-official," where used in relation to any person, mean respectively a person who is or is not in the civil or military service of the Crown in India: Provided that rules under the principal Act may provide for the holders of such offices as may be specified in the rules not being treated for the purposes of the principal Act or this Act, or any of them as officials.

SHORT TITLE, COMMENCEMENT, AND INTERPRETATION.

33. (1) This Act may be cited as the Government of India Act, 1919, and the principal Act, as amended by any Act for the time being in force may be cited as the Government of India Act.

(2) This Act shall come into operation on such date or dates as the Governor-General in Council, with the approval of the Secretary of State in Council, may appoint and different dates may be appointed for different provisions of this Act and for different parts of India.

On the dates appointed for the coming into operation of the provisions of this Act as respects any Executive or Legislative Council all the members of the Council then in office shall go out of office, but may, if otherwise qualified, be re-appointed, re-nominated or re-elected, as the case may be, in accordance with the provisions of the principal Act as amended by this Act.

(3) Any reference in any enactment in force in India (whether an Act of Parliament or made by any authority in British India) or in any rules, regulations or orders made under any such enactment, or in any letters patent or other document, to any enactment repealed by the principal Act, shall for all purposes be construed as references to the principal Act as amended by this Act, or to the corresponding provision thereof.

(4) Any reference in any enactment in force in India (whether an Act of Parliament or made by any authority in British India), or in any rules, regulations, or orders made under any such enactment, or in any letters patent or other document, to any Indian legislative authority, shall for all purposes be construed as references to the corresponding authority constituted by the principal Act as amended by this Act.

(5) If any difficulty arise as to the first establishment of the Indian legislature or any legislative council after the commencement of this Act or otherwise, in first giving effect to the provisions of this Act, the Secretary of State in Council or the Governor-General in Council, as occasion may require, may by order do any matter or thing which appears to them necessary for the purpose of removing any such difficulty.

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